

**REMARKS**

Claims 29, 34, 35, 37-39 and 41-45 are pending. By this response, claims 29 and 34 are amended and claim 46 is cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 29, 34, 35, 37-39 and 41-46 under 35 U.S.C. § 103(a) as being unpatentable over Ross et al. (USP 5,859,628) and Griffin et al. (USP 5,898,908). This rejection is respectfully traversed.

Claims 29 and 34 as amended each recite, *inter alia*, monitoring the electric power level supplied through a power supply line, where data representing the monitored power level is supplied to a processor in the charging apparatus which controls the power level in the power supply line based on the monitored power level and charging ability of the communication apparatus. Applicant respectfully submits that at least this feature of independent claims 29 and 34 is not taught by Ross and Griffin.

The Office Action relies upon Griffin to teach Applicant's claimed monitoring circuit. The Office Action alleges that the teachings of a voltage regulator used by the battery charger 60 in Griffin is the same as Applicant's claimed monitoring circuit. Applicant respectfully disagrees.

Applicant notes that the amendments to claims 29 and 34 further define the monitoring circuit and its relationship with a processor and charging abilities of a communication device. Monitored power level data is supplied to the processor in the charging circuit, which uses the data in conjunction with the charging abilities of the communication device to control the power level. Applicant respectfully submits that a voltage regulator is not a dynamic device as it strictly controls all input voltage such that the output voltage is regulated to be the same. The voltage regulator in Griffin does not provide data to a processor which adapts the power level based on the power level data and communication apparatus charging abilities. In Griffin, the output of the voltage regulator is not affected by both the charging abilities of the communication apparatus and the power level monitored on the supply line.

Therefore, Applicant respectfully submits that Griffin's voltage regulator does not teach Applicant's claimed monitoring circuit as recited above. Thus, the combination of Ross and Griffin fail to teach each and every feature of Applicant's claimed invention, as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**CONCLUSION**

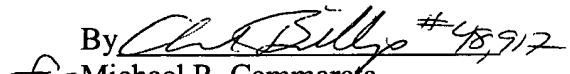
For at least these reasons, it is respectfully submitted that claims 29, 34, 35, 37-39 and 41-45 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner has any questions concerning this application, the Examiner is requested to contact Chad J. Billings, Reg. No. 48,917 at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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